

**CULTURAL AFFAIRS DEPARTMENT[221]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 303.1 and 303.1A, the Department of Cultural Affairs hereby gives Notice of Intended Action to amend Chapter 6, "Iowa Community Cultural Grants (ICCG) Program," Iowa Administrative Code.

The proposed amendment removes language which requires applicants that apply through a fiscal agent to be in the process of applying for their own federal tax exemption and to already be registered Iowa nonprofit organizations.

Public comments concerning the proposed amendment will be accepted until 4:30 p.m. on March 17, 2009. Interested persons may submit written or oral comments by contacting Kristen Vander Molen, Department of Cultural Affairs, Historical Building, 600 East Locust Street, Des Moines, Iowa 50319-0290; fax (515)281-6975; E-mail [Kristen.VanderMolen@iowa.gov](mailto:Kristen.VanderMolen@iowa.gov). Persons who wish to convey their views orally should contact the Department of Cultural Affairs at (515)281-4228.

Also, there will be a public hearing on March 17, 2009, at 10 a.m. at the above address in the Tone Board Room, Third Floor West, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Department and advise of specific needs.

This amendment is intended to implement Iowa Code section 303.3(1).

The following amendment is proposed.

Amend rule **221—6.3(303)**, definition of "Eligible applicant," as follows:

*"Eligible applicant"* means an incorporated city in Iowa, county government, tribal council, or an Iowa community group which is federally tax-exempt under United States Internal Revenue Code Section 501(c)(3) and incorporated under the Iowa nonprofit corporation Act. ~~Iowa nonprofit community groups which have applied for and are awaiting determination of federal tax-exempt status~~ may apply for ICCG funds through a fiscal agent which is federally tax-exempt and otherwise eligible to apply.